

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, SEPTEMBER 28, 2004**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, September 28, 2004, commencing at 7:01 a.m.

A. ROLL CALL

Present: Council Members – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

Absent: Council Members – None

Also Present: Interim City Manager Keeter, City Attorney Schwabauer, and City Clerk Blackston

B. CITY COUNCIL CALENDAR UPDATE

City Clerk Blackston reviewed the weekly calendar (filed).

C. TOPIC(S)

C-1 "Lodi Skate Park Informational Update"

Interim City Manager Keeter reported that she met last week with staff members Tony Goehring, Mike Reese, and Kirk Evans to discuss the status of the skate park.

Parks and Recreation Director Goehring recalled that Council previously made a decision to terminate the contract with Spohn Ranch and gave direction to open the skate park on a no-fee, unsupervised basis. Staff's target in doing so was June; however, difficulties arose in obtaining insurance. Work toward lessening the noise on the equipment by grinding the edges or applying silicone has been delayed pending resolution of the insurance issue. He outlined the following options:

1. Reopen the park with the City assuming 100% of the liability risk under the California Joint Powers Risk Management Authority, in which the City has a \$500,000 deductible;
2. Reopen the park with the City assuming the liability risk until an appropriate liability insurance policy is obtained, or a secondary policy that would cover the deductible amount;
3. Close the park, dismantle and sell the equipment, and convert the pad to another use;
4. Find another manager to maintain and operate the park; or
5. Do nothing until the insurance is in place.

In response to Mayor Hansen, Kirk Evans, Risk Manager, noted that the city of Galt is in an insurance pool for smaller cities and has only a \$25,000 deductible. Mr. Evans stated that he has been attempting to obtain a \$1 million policy from Commercial Insurance Services in Oklahoma; however, it lost its carrier and he has been unable to get a quote. Other insurance companies he spoke to require that the skate park be supervised and users must sign waivers.

City Attorney Schwabauer stated that the liability protection provided by the State of California would not apply if the park was supervised.

Council Member Hitchcock suggested that Mr. Evans contact the League of California Cities for insurance references of other cities who have skate parks. Ms. Hitchcock stated that if the direction appears to be to disassemble the equipment and use the park for another purpose, the matter should first be considered by the Parks and Recreation Commission.

Mayor Pro Tempore Beckman voiced support to open the park and have staff return to Council with options regarding insurance.

Council Member Land was opposed to opening the park prior to obtaining insurance coverage, noting that the City sustained a substantial loss in the past in a similar situation. He preferred that the park be closed and converted to basketball courts.

Mr. Schwabauer acknowledged that the signing of waivers does not provide protection against liability.

Mr. Goehring noted that the skate park was designed to accommodate skate boarding, in-line skating, and BMX bicycles. BMX enthusiasts used the park much more frequently than skate boarders; however, if the park were unsupervised they could not be allowed to use the park at the same time.

Mayor Hansen favored opening the park and assuming the risk until reasonable secondary insurance coverage was obtained, if possible. He asked that the matter be placed on an upcoming Council agenda for consideration. He noted that a "blue sheet" (filed) communication was received from Barbara McWilliams, in which she expressed hope that the noise would be mitigated if the skate park is to be reopened.

Ms. Keeter expressed her opinion that the park be reopened as soon as possible, and in the interim, staff would continue its search for insurance.

Mr. Goehring indicated that he would place the matter on the City Council agenda of October 20, 2004.

Steve Dutra, Parks Superintendent, asked Council to provide direction to staff at its October 20 meeting regarding "house rules," e.g. giving staff authority to close the park if participants were not following rules, whether graffiti would be permissible, and allowing staff to deal with maintenance issues without seeking further approvals.

In answer to Mayor Hansen, Bob Johnson, Parks and Recreation Commissioner, believed that if there were a way to satisfy the risk issues, the Commission would be in support of reopening the park.

D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

E. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 7:41 a.m.

ATTEST:

Susan J. Blackston
City Clerk

September 27 - October 03

September 2004							October 2004						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	4					1	2
5	6	7	8	9	10	11		3	4	5	6	7	8
12	13	14	15	16	17	18		10	11	12	13	14	15
19	20	21	22	23	24	25		17	18	19	20	21	22
26	27	28	29	30				24	25	26	27	28	29
								31					

Monday, September 27		Thursday, September 30	
8:30am	9:00am LPD - Swearing-in ceremony for new police officer (Police Dept. Community Room)	2:00pm	HANSEN - City Selection Committee - Re: Alternate City LAFCO Member (Board Chamber - 222 E. Weber Avenue, room 701, Stockton)
5:30pm	10:00pm HANSEN, BECKMAN, HITCHCOCK, HOWARD, & LAND. Building Industry Association of the Delta "Salute to Policy Makers" (Wine & Roses Hotel, Lodi)		
Tuesday, September 28		Friday, October 01	
7:00am	9:00am Shirtsleeve Session (Carnegie Forum)	9:00am	9:30am HANSEN - 2nd grade class tour - Reese School (Forum)
7:00am	Special Meeting - Closed Session (Carnegie Forum)	11:30am	2:00pm HANSEN - East Bay Municipal Utility District annual Pardee BBQ (McLean Hall, Pardee Center)
		5:30pm	7:00pm Lodi Art Center Grand Opening/Ribbon Cutting (110 S. Church St.)
Wednesday, September 29		Saturday, October 02	
		Sunday, October 03	
		Street Faire (8 a.m. to 4 p.m.)	

C-1

Jennifer Perrin

From: Susan Blackston
Sent: Monday, September 27, 2004 4:01 PM
To: 'Lew & Barbara McWilliams'
Cc: City Council; Janet Keeter; Steve Schwabauer; Tony Goehring
Subject: RE: McWilliams-Kofu Skate Park

Dear Barbara McWilliams:

This reply is to confirm that your message was received by the City Clerk's Office and each member of the City Council. In addition, by copy of this e-mail, we have forwarded your message to the following departments for information, referral, or handling: 1) City Manager, 2) City Attorney, and 3) Parks & Recreation.

Thank you for expressing your views.

/s/ Susan J. Blackston, City Clerk

-----Original Message-----

From: Lew & Barbara McWilliams [mailto:mcwilliams@softcom.net]
Sent: Monday, September 27, 2004 3:39 PM
To: Susan Blackston; Susan Hitchcock; Emily Howard; Keith Land; John Beckman; Larry Hansen
Subject: McWilliams-Kofu Skate Park

Councilmembers,

I have attached a few of my thoughts for your consideration as you make a decision on the fate of the Kofu Skate Park.

Barbara McWilliams

BARBARA MCWILLIAMS
RE: SKATE PARK at KOFU PARK

I will have to admit that the absence of the skateboard noise coming off the ramps at the Kofu Skatepark has been nice this summer. I do understand the City must decide what to do with regards to the skate park.

We, in the Sunset Drive area, feel we will suffer noise no matter what you decide. If you open the park we have to deal with the dumping noise of the skateboards hitting the ramps where they are put together. The kids have not been too noisy. If you decide to do away with it, I'm sure you will find another use such as basketball, which Councilman Land alluded to. Then we get to enjoy the bouncing balls and the noise of the players (quite frankly, I'm certain they would be more noisy. I know the tennis players are.)

If the City decides to reopen the skatepark, I ask that the City do something to muffle

the dumping sound we are stuck with. I also ask that you do not consider amplified sound events for the area.

If you decide to do a basketball court---I guess I give up—for now.